

ENTERED

July 30, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

LARRY SHEDRACK AFORIGHO,

Plaintiff.

VS.

TAPE PRODUCTS COMPANY (TPC),

Defendant.

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CIVIL ACTION NO. 4:19–CV–01778

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

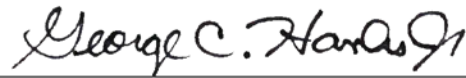
On May 4, 2020, Defendant Tape Products Company's Rule 12(b)(5) and Rule 12(b)(6) Motion to Dismiss Plaintiff's Amended Complaint; or, In the Alternative, Motion for Summary Judgment ("Motion to Dismiss") was referred to United States Magistrate Judge Andrew M. Edison for report and recommendation. *See* Dkt. 30. On July 15, 2020, Judge Edison filed a Memorandum and Recommendation (Dkt. 31) recommending that the Motion to Dismiss (Dkt. 27) be **DENIED**.

No objections have been filed to the Memorandum and Recommendation. Accordingly, the Court reviews the Memorandum and Recommendation for plain error on the face of the record. 28 U.S.C. § 636(b)(1); *see also*, FED. R. CIV. P. 72(b)(3).

Based on the pleadings, the record, and the applicable law, the Court finds that there is no plain error apparent from the face of the record. The court accepts Judge Edison's Memorandum and Recommendation (Dkt. 31) and adopts it as the opinion of the court.

Accordingly, the court **DENIES** the Motion to Dismiss (Dkt. 27).

SIGNED in Houston, Texas, this 30th day of July, 2020.

A handwritten signature in cursive script, reading "George C. Hanks Jr", positioned above a horizontal line.

GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE